



**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

GARETH DAVID LONG,

Defendant.

2:16-CR-071-APG-EJY

Final Order of Forfeiture

The United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c); and 21 U.S.C. § 853(p) based upon the plea of guilty by Gareth David Long to the criminal offenses, forfeiting the property and imposing an in personam criminal forfeiture money judgment set forth in the Plea Agreement and the Forfeiture Allegations of the Criminal Indictment and shown by the United States to have the requisite nexus to the offenses to which Gareth David Long pled guilty. Criminal Indictment, ECF No. 1; Plea Agreement, ECF No. 79; Change of Plea, ECF No. 80; Preliminary Order of Forfeiture, ECF No. 81.

This Court finds that the United States may amend this order at any time to add subsequently located property or substitute property to the forfeiture order pursuant to Fed. R. Crim. P. 32.2(b)(2)(C) and 32.2(e).

The in personam criminal forfeiture money judgment amount of \$11,224,404.31 complies with *Honeycutt v. United States*, ___ U.S. ___, 137 S. Ct. 1626 (2017).

This Court finds the United States published the notice of forfeiture in accordance with the law via the official government internet forfeiture site, www.forfeiture.gov,

1 consecutively from November 20, 2019, through December 19, 2019, notifying all potential
2 third parties of their right to petition the Court. Notice of Filing Proof of Publication, ECF
3 No. 83.

4 This Court finds the United States notified known third parties by personal service or
5 by regular mail and certified mail return receipt requested of their right to petition the Court.
6 Notice of Filing Service of Process – Mailing, ECF No. 84; Notice of Filing Service of
7 Process – Personal Service, ECF No. 85.

8 On December 6, 2019, the United States Attorney's Office attempted to serve V
9 Internet Corp., LLC c/o Gareth Long, Managing Member, by regular and certified return
10 receipt mail with the Preliminary Order of Forfeiture and the Notice. The mail was returned
11 as attempted not known. Notice of Filing Service of Process – Mailing, ECF No. 84-1, p. 3,
12 6-11, 13-19, 21-26.

13 On December 6, 2019, the United States Attorney's Office served Lacy Long by
14 regular and certified return receipt mail with the Preliminary Order of Forfeiture and the
15 Notice. The certified mail was returned as unclaimed. Notice of Filing Service of Process –
16 Mailing, ECF No. 84-1, p. 3, 6-11, 13-19, 27-30.

17 On December 6, 2019, the United States Attorney's Office served Pauline Medrano,
18 Dallas County Treasurer, by regular and certified return receipt mail with the Preliminary
19 Order of Forfeiture and the Notice. Notice of Filing Service of Process – Mailing, ECF No.
20 84-1, p. 3, 6-11, 13-19, 31-34.

21 On December 6, 2019, the United States Attorney's Office served John Creuzot,
22 Dallas County District Attorney, by regular and certified return receipt mail with the
23 Preliminary Order of Forfeiture and the Notice. Notice of Filing Service of Process –
24 Mailing, ECF No. 84-1, p. 3, 6-11, 13-19, 35-37.

25 On December 6, 2019, the United States Attorney's Office served John F. Warren,
26 Dallas County Clerk, by regular and certified return receipt mail with the Preliminary Order
27 of Forfeiture and the Notice. The Clerk's office rejected the mail for not having a notarized
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signature and lack of fees. Notice of Filing Service of Process – Mailing, ECF No. 84-1, p. 3, 6-11, 13-19, 38-42.

On December 6, 2019, the United States Attorney's Office served V Internet Corp., LLC c/o Registered Agent, Business Fillings Inc., by regular and certified return receipt mail with the Preliminary Order of Forfeiture and the Notice. Notice of Filing Service of Process – Mailing, ECF No. 84-1, p. 3, 6-11, 13-19, 43-45.

On December 6, 2019, the United States Attorney's Office served John R. Ames, Dallas County Tax Assessor/Collector, by regular and certified return receipt mail with the Preliminary Order of Forfeiture and the Notice. Notice of Filing Service of Process – Mailing, ECF No. 84-1, p. 4, 6-11, 13-19, 46-49.

On January 13, 2020, the United States Attorney's Office personally served V Internet Corp., c/o Brian Pugh, Counsel for Managing Member, Gareth Long, with copies of the Preliminary Order of Forfeiture and the Notice. Notice of Filing Service of Process – Personal Service, ECF No. 85.

On February 10, 2020, the United States Attorney's Office filed a Stipulation for Entry of Order of Forfeiture as to Commerce West Bank and Order (ECF No. 87).

On February 10, 2020, this Court granted the Stipulation for Entry of Order of Forfeiture as to Commerce West Bank and Order (ECF No. 89).

This Court finds no petition was filed herein by or on behalf of any person or entity and the time for filing such petitions and claims has expired.

This Court finds no petitions are pending with regard to the property named herein and the time for presenting such petitions has expired.

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all possessory rights, ownership rights, and all rights, titles, and interests in the property hereinafter described are condemned, forfeited, and vested in the United States:

1. \$210.32 in United States Currency;
2. \$938.01 in United States Currency;
3. \$60 in United States Currency;

4. \$1,081.33 in United States Currency;
 5. \$10,225.46 in United States Currency;
 6. \$788,593.43 in United States Currency;
 7. \$2,112,673.65 in United States Currency;
 8. Net sale proceeds of \$276,189.60 in lieu of real property located at 1350 Stoney Creek Drive, Cedar Hill, Dallas County, Texas 75104; and
 9. Net sale proceeds of \$107,146.98 in lieu of real property located at 1204 South Clark Road, Cedar Hill, Dallas County, Texas 75104
- (all of which constitutes property); and

that the United States recover from Gareth David Long the in personam criminal forfeiture money judgment of \$11,224,404.31. The government shall apply the value of the administratively forfeited assets to the money judgment amount, meaning Gareth David Long will be responsible for the remaining money judgment balance of \$10,900,000. In addition, the government will apply the net sale proceeds of the real property (Nos. 8-9, above) and the forfeited cash (Nos. 1-7, above) towards the payment of the money judgment; and

the forfeiture of the money judgment and the property is imposed pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P. 32.2(c)(2); 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c); 21 U.S.C. § 853(p); and 21 U.S.C. § 853(n)(7); that the money judgment shall be collected; and that the property and the collected amount shall be disposed of according to law.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited funds, including but not limited to, currency, currency equivalents, certificates of deposit, as well as any income derived as a result of the government's management of any property forfeited herein, and the proceeds from the sale of any forfeited property shall be disposed of according to law.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
2 copies of this Order to all counsel of record and three certified copies to the United States
3 Attorney's Office, Attention Asset Forfeiture Unit.

4 DATED June 23, 2020.

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7 HONORABLE ANDREW P. GORDON
8 UNITED STATES DISTRICT JUDGE
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